THE BILL

For Regulating Abuſes in

ELECTIONS

OF

MEMBERS

To ſerve in

PARLIAMENT,

As it was read a ſecond time, and Committed, by the Houſe of Commons, upon Saturday *the 5th of* April, 1679.

And now offered as Advice to the conſideration of the whole Kingdom.

FOR the remedying the many and great diſorders, miſcarriages, inconveniences, diſputes, and conteſts, ariſing about the Elections and Returns of Knights, Citizens, and Burgeſſes to ſit in Parliament, Be it Enacted by the Kings moſt Excellent Majeſty, Lords Spiritual and Temporal, and Commons aſſembled, That for the time to come every perſon that at the time of any Election of Knights of any Shire or County at large, is, and by the ſpace of one year next before ſuch Election, hath been a Houſeholder and Inhabitant in the ſame County, and within the ſame by all that time hath been (without fraud or deſign thereby to enable himſelf to give Voice) charged, rated, taxed to, and have payed and born his Scot and Lot towards the maintenance and defraying the Poor, and other publick Charges and Payments, and who is not under one and twenty years of age; and is worth two hundred pounds in Fee, clear Eſtate of his own, over and beſides his Debts, Charges, and Engagements by him owing and payable, or ingaged in; and none other ſhall have Vote, Voice, and be Elector of Knights of the County or Shire wherein he ſo inhabits or dwells. That in every In-Shire City or Town that is both City and County, and in every other City, Town, Burrough, or place, that now do, or hereafter ſhall ſend Members to the Parliament (except the Cities of *London*, *York*, *Norwich*, *Exeter*, and *Briſtol*) every perſon at the time of ſuch Election of Members for to ſit in Parliament for any ſuch place, that at the time of ſuch reſpective Election, and by the like ſpace of one year before, hath been a Houſe-

holder and Inhabitant within such respective City, Town, Burrough or place (except before excepted) and by all that time hath been there charged, rated, taxed, and paid Scot and Lot, without fraude, as aforesaid; and not under one and twenty years of Age: And none others shall have Vote and Voice, and be Elector in such respective City, Burrough, Town, or place, any Law, Charter, or *non obstante* in any Charter to the contrary notwithstanding. And that the respective Sheriffs, and other Officers, to whose care and management the Elections are committed, have hereby power and authority to administer unto, and to examine upon oath, the parties themselves concerning the Qualifications and Matters aforesaid, That for the future no person by himself, or others, by or with his consent and approbation, shall by feasting, treating, entertaining with meat, drink, or otherwise; or by bribes, presents, rewards, or gifts, given, spent, promised, or engaged to, upon or amongst the Electors, or to or for their use or benefit, or to or for the only benefit or advantage of any County, City, Town, or place, sending members to Parliament, or the Inhabitants thereof, or under any pretended Charity for the poor of any such Town or place, directly, or indirectly, labour or endeavour to obtain or procure Elections of any person, or persons, to be Members or Representatives to sit in Parliament, under the pains and penalties ensuing (to wit) that every such person so labouring, or indeavouring by any such undue and illegal ways and means, shall be hereby disabled and uncapable of being or sitting as a Member of that Parliament, and also shall forfeit the sum of five hundred pounds: And that the City, Town, or place, where any such feasting, treating, or entertaining shall be manifestly and notoriously admitted or suffered, shall from that time forfeit their Privilege of sending members to Parliament: And in lieu thereof, an Election to be made of Members in their stead in some other Town, or place, within the same County, or else in the County at large, as the house of Commons in the next ensuing Parliament, that shall have or take notice of such forfeiture, shall appoint and direct: And it is hereby further Enacted, that all and every Justice of the Peace, Mayor, Bayliffs and Constables, having Jurisdiction or Authority in any such Town, or place, for the suppressing and preventing the misdemeanours and evil practises aforesaid, are hereby commanded and required not to permit any such feastings, treatings, or entertainments, for or in order to the end aforesaid, but upon Oath and Examination (which they are hereby impowered to administer) or upon their own view, to arrest and apprehend all such misdoers, and them to Commit to Goal, there to remain, till they give good and sufficient security not to offend in that kind for the future, and appear at the next Assizes, or general Sessions of the Peace for the County, or place, where the offence shall be committed, there to be proceeded against, and punished for his said offence according to Law: And that if any of the Officers or Ministers aforesaid, having information upon Oath, or other sufficient evidence of the fact, shall refuse or neglect to do his duty herein, he shall forfeit the sum of one hundred pounds for every such neglect or refusal: And that if any Mayor, Recorder, Alderman, Town-clerk, Burgess, Portreeve, Bayliff, Magistrate, or

Officer

Officer, ſhall permit or ſuffer himſelf to be feaſted, treated, or entertained, or ſhall directly or indirectly accept, take, or receive, any bribe, gift, preſent, or reward, to the intent and end aforeſaid, he is hereby diſabled to give any Vote, or to be Elector; and moreover ſhall for every ſuch offence forfeit the ſum of one hundred pounds. And it is hereby likewiſe Enacted, that no Writ or ſuit ſhall be hereafter ſewed proſecuted, or proceeded for wages, or any ſum or ſums of money due or demandable for wages, by any Knights, Citizens, or Burgeſſes, for or in reſpect of their ſervices in Parliament; but all ſuch wages are, and from henceforth ſtand releaſed and diſcharged, and for the avoiding of the abuſes and undue means too often uſed by Sheriffs, Underſheriffs, Mayors, Bayliffs, and Officers, about ſuch Election and Returns, and that there may be juſt, fair, and legal Elections and Returns hereafter made, Be it further Enacted by the Authority aforeſaid, That no Sheriff, Portreeve, Bayliff, Magiſtrate, or Officer, (except onely when need requires, from the Evening to the morning of the next day ſucceeding, till Election be determined, or to ſome convenient place within two miles of the Town, or place, appointed, or ſet, for ſuch Election) ſhall adjourn the ſaid Election from that day or place appointed or ſet for the ſame, but ſhall fairly and indifferently proceed to finiſh the Election as ſoon as conveniently he can at the time and place appointed, without any other adjournment there, as aforeſaid: And if any Adjournment *de facto* be made contrary to this Act, the proceeding afterward ſhall be void, and the perſon that had the majority of Voices at the time of ſuch unlawful Adjournment, ſhall be the perſon duely Elected, and ſhall be returned ſo to be: And if any perſon ſhall hereafter be, for conſideration of money, bribes, preſents, gifts, or rewards, directly or indirectly, given or promiſed, or ingaged to be given, or for fear or favour, by any Sheriff, Mayor, Bayliff, Portreeve, or Officer, wrongfully and unduly Returned to be the perſons Elected, which in truth and realty was not; Or if any Sheriff, Underſheriff, their Clarks, or Miniſters; or any Mayor, Recorder, Town-Clark, Portreeve, Bayliff, or other Officer, or Magiſtrate intruſted with the ordering or making ſuch Election, or Returns, ſhall not fairly, juſtly, honeſtly, and impartially, according to the beſt of his skill and diligence, act and do his duty in the premiſes; In every ſuch caſe the party offending ſhall forfeit, if a Sheriff, the ſum of five hundred pounds, if a Mayor, or other Officer, or Miniſter, two hundred pound, and treble damages to the party grieved; and that all ſecurities, promiſes, and engagements made or given to any Officer, for the indemnifying or ſaving harmleſs concerning the premiſes, ſhall be abſolutely voyd, and of no effect; and every party giving or making ſuch ſecurities, promiſes, or ingagements, to forfeit five hundred pound for his offence in ſo doing: And further, for the avoiding all exactions, extortions, and briberies, under the pretence of gratuities, preſents, or recompence, for diſpatch, or towards charges, or otherwiſe, by any Sheriff, Underſheriff, Sheriff's-Clark, or Miniſter, or by any Mayor, Portreeve, Bayliff, or other Officer, or Miniſter, hereafter to be taken, Be it Enacted, That none of the ſaid Officers, or Miniſters, ſhall directly, or indirectly take, have, or receive, or agree, or contract to have or receive,

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for any warrant, or preſent, upon or by Vertue of any Writ for Election for Parliament, or for any return of any Writ, Mandate or Precept, above the ſum of two Shillings ſix pence, under the pain of forfeiting ten times as much as he ſhall in ſuch caſe take over and beſides the ſum of two Shillings ſix pence, together with coſts in every ſuch ſuit to be recovered: All and every the penalties and forfeitures aforeſaid (except the ſaid forfeitures of treble damages) to be recovered by him, or them that ſhall, and will ſue for the ſame, in any Court of Record, within the ſpace of one year next enſuing ſuch cauſe of action accrued; in which ſuit there ſhall be no allowance of, or admiſſion of any priviledge of Parliament, or other priviledges, or of any Protection, or Injunction; nor of any Plea of another action, or information for the ſame offence depending (except Oaths be made in the Court, where ſuch plea ſhall be pleaded by both the Defendant and Plaintiff, and real Proſecutor therein, that the ſame is really and *bona fide*, brought for recovery of the forfeiture herein, without any fraud or deſign to excuſe or defend the offender from the forfeiture by the Statute impoſed) which the Court where ſuch pleas ſhall be pleaded, are hereby enabled to examine, and according to the truth and realty thereof, to allow the ſaid Plea, or not; And for the better obſervation of this Act, All Sheriffs of Counties at large, ſhall in the place where the Election is to be made, immediately before they proceed to take the Votes of the Electors, cauſe this Statute to be audibly read in the preſence of the Electors; And that all Sheriffs of Inn-ſhires, or Citys, or Towns that are Counties of themſelves, Mayors, Portreeves, Bayliffs, and other Officers, and Miniſters reſpectively, ſhall immediately after the receipt of any writ, or precept, for ſuch Election, or certain knowledge of a Parliament to be choſen, ſet up this Act in their reſpective Halls, or other publick places, to be read and viewed, and alſo on the next Lords day after ſuch certain notice of ſuch Parliament to be choſen, or after receipt of ſuch writ, precept, or mandate for ſuch Election, and before the time of the Election, cauſe and procure this Statute to be publickly and audibly read in the Churches of their Counties, Cities, Towns, or Burroughs, where ſuch reſpective Elections are to be, immediately after Divine Service ended, and before the people aſſembled are departed: And further, for the prevention of the long continuance of any Parliament for the future, and thereby depriving the King and Kingdom of the benefits of ſucceſſive Parliaments, It is hereby Enacted, That no Parliament ſhall hereafter have Continuance in any manner, by Prorogation, or Adjournment, or Seſſion, or partly by one and partly by the other, or otherwiſe howſoever, for above the ſpace of two years from the day of the return of the writ of Summons next enſuing, but at the end of the ſaid two years ſhall be *ipſo facto* diſſolved: And that in every Indenture hereafter to be made or ſealed by any Electors, there be a Clauſe therein inſerted, That the perſon or perſons are hereby authoriſed to ſerve in Parliament for the ſpace of two years, from the day of the return of ſuch writ of Sumons next enſuing, if the ſaid Parliament ſhall ſo long continue, and no longer.

FINIS.